

REMARKS

Applicants would initially like to acknowledge with appreciation the helpful and constructive interview granted to the undersigned by Examiners Shaikh and Colbert on October 27, 2010. As discussed during the interview, Applicants request reconsideration and allowance of the application and Claims 1-9 in view of the Amendments and Remarks set forth herein, which Applicants consider to be a summary of the matters discussed during the interview as required by 37 CFR § 1.133(b).

Claims 1-6 are amended. After the present amendment, Claims 1-9 are pending in the application. Applicants request reconsideration and allowance of the application and Claims 1-9 in light of the Amendments and Remarks contained herein.

I. Claim Rejections under 35 USC § 103

Claims 1-9 were rejected under 35 U.S.C. 103(a) as being obvious over “Credit Card Alternatives Proposed for Online Payments”: Bank Technology News, v 14, n5, p33, May 1, 2000, hereinafter Bank Technology News in view of “GPayments: “Pseudo Card Numbers, A new weapon to combat fraud in eCommerce,” hereinafter GPayments. This rejection is respectfully traversed.

II. The Section 103 Rejections Should be Withdrawn

Claim 1, as amended, recites:

“allowing a buyer to initiate a credit payment as a buyer-initiated transaction comprising:

allowing the buyer to determine payment instructions for an accounts payable, the accounts payable representing a purchase made by the buyer from a merchant;

allowing the buyer to select an acquirer that participates in the transaction, such that the buyer is allowed to send the payment instructions directly to the acquirer;

communicating electronically, from the buyer, the payment instructions of the buyer-initiated transaction to the acquirer as a transaction;

generating the transaction based upon the payment instructions, the transaction representing the buyer-initiated payment; and settling the transaction from the acquirer to the merchant.”

As discussed and agreed during the Examiner interview, neither Bank Technology News and GPayments, either singly or in combination, teaches “allowing *the buyer* to select an acquirer that participates in the transaction; such that the buyer is allowed to send the payment instructions directly to the acquirer,” as recited in Claim 1. This is especially because Bank Technology News and GPayments, either singly or in combination, do not teach or suggest a buyer-initiated transaction in which a buyer is allowed to select an acquirer that participates in the transaction.

In light of the above, it is submitted that Claim 1, as amended, patentably defines over Bank Technology News and GPayments, either singly or in combination. Reconsideration and withdrawal of the 35 U.S.C. 103 rejection of Claim 1 is respectfully solicited.

It is noted that Applicants removed the claim recitations of “rather than a payment being initiated by the merchant,” per the suggestion of Examiner Colbert.

Regarding independent Claims 3 and 5 as amended, they are also both allowable over Bank Technology News and GPayments, whether considered individually or in combination, for the same reasons that Claim 1 is allowable, as discussed and agreed during the Examiner interview. Reconsideration and withdrawal of the 35 U.S.C. 103 rejections of Claims 3 and 5 is respectfully solicited.

All dependent claims are allowable for the same reasons each base independent claim is allowable. Reconsideration and withdrawal of the 35 U.S.C. 103 rejections of all dependent claims is respectfully solicited.

Conclusion

In view of the amended claims and the remarks presented above, it is respectfully submitted that all of the present claims of the application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 13-4365.

Respectfully submitted,

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